IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

SECOND APPEAL NO.189 OF 2001

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders.

Shri P.R.Arjunwadkar for the Appellants.
Shri V.B.Rajure for the Respondents.

CORAM : ABHAY S.OKA, J.
DATED : 10th August, 2004.

P.C.:

1. Heard learned Counsel appearing for the parties.

2. The Appeal is by the original Defendant No.1. The trial Court decreed the suit in favour of the original Plaintiff/Respondent No.1 by holding that the Respondent is entitled to 1/4th share. The Decree passed by the trial Court has been modified by the Appellate Court by holding that the Respondent No.1 is entitled to 1/8th share along with the Respondents Nos.2 and 3 and the Appellant is entitled to 5/8th share.

3. Having perused the findings recorded by the Appellate Court I find that there is neither any perversity nor any illegality in the said findings. The Second Appeal is dismissed with no order as to costs.

4. Certified copy is expedited.

Judge.